

SENATE—Tuesday, March 7, 2000

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God who is for us and not against us, who recruits us for the battle of what is right and just, and who empowers us to seek the truth and speak it with love, our central purpose is to glorify You by serving our Nation.

Renew a sense of chosenness in the women and men of this Senate. Remind them that You have chosen them; they are here by Your choice. Revive in them a sense of divine calling. Reclaim for them the dignity of the high calling of politics. Rekindle their fires of patriotic passion. Give them a perfect blend of resoluteness and intentionality. Our times demand greatness, the greatness that comes from listening to You so intently that we can speak the truth with intrepid boldness and courage. In the midst of the two-party system, help the Senators to affirm their oneness as Americans and keep a strong spirit of unity in the struggle for what is best for our Nation. You alone are the one who can draw them beyond secondary loyalties to their ultimate loyalty to You and help them work together in civility and respect. Thank You for calling these men and women and helping them choose to be chosen. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MIKE CRAPO, a Senator from the State of Idaho, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Maine.

SCHEDULE

Ms. COLLINS. Mr. President, today the Senate will be in a period of morning business until 12:30 p.m. Following morning business, the Senate will recess until 2:15 p.m. so the weekly party caucuses may meet. Upon reconvening, the Senate will begin consideration of the nominations of Marsha Berzon and Richard Paez to be the U.S. circuit judges for the Ninth Circuit.

ORDER OF PROCEDURE

I now ask unanimous consent that the debate time between 2:15 p.m. and 5 p.m. be equally divided between the proponents and the opponents of the Berzon and Paez nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, by previous consent, at 5 p.m. the Senate will proceed to a vote on the confirmation of the Executive Calendar No. 423, the nomination of Julio Fuentes. Senators can therefore expect the first vote to occur at 5 p.m. today. I thank my colleagues for their cooperation.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. There will now be a period for the transaction of morning business not to extend beyond the hour of 12:30 p.m. with Senators permitted to speak therein for up to 5 minutes each.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 2194 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Nevada is recognized.

THE RECORD OF JUDGE RICHARD PAEZ

Mr. REID. Mr. President, I wanted to speak a little earlier, but I didn't have the opportunity. The minority is very happy that we are going to move forward on some judicial nominations. One of the nominations holds a record. It is a record that Judge Paez has. He has been waiting more than 4 years to have the Senate decide whether or not he can be elevated to the Ninth Circuit. We feel Judge Paez is eminently qualified. I think we will find that a majority of the majority will also feel that way.

Here is a man whose record is unsurpassed. He is a person who has been said to be—these are different quotes—"a well-respected, experienced judge." "Judge Paez has bipartisan support." "Judge Paez is not an 'activist', nor is he 'anti-business.'" Judge Paez has outstanding judicial temperament and is not 'antireligion.'" Judge Paez has not acted "unethically." "Judge Paez has committed to follow the law on the death penalty," and to follow the law generally.

I hope when we look at this man and his qualifications, he will receive an overwhelming vote. He is qualified for the Ninth Circuit.

Judge Paez is a graduate of Brigham Young University and he received his law degree from the University of California at Berkeley in 1972. He has received the highest rating given by the American Bar Association to Federal judicial nominees, which is well qualified.

It is important to note his nomination swept through here earlier when he was confirmed to the trial court on the Federal judicial level. He served with distinction after we, the Senate, approved his nomination. He has done that for 5 years, where he has served, as I have indicated, as a U.S. District Judge for the Central District of California. He has presided over numerous trials. Prior to being a Federal district court judge, he had a distinguished career as a State court judge. He served as a California State judge for 13 years. He is somebody who has been active in charitable and community affairs. He is a family man. His mother and father and 10 brothers and sisters live in another Western State, the State of Utah.

As I have indicated, Judge Paez has bipartisan support from, for example, JAMES ROGAN, a Republican Congressman from California, and a former judge himself; he supports Judge Paez. He has support from Los Angeles district attorney, Gil Garcetti; Los Angeles County Sheriff, Sherman Block; Los Angeles Police Protective League; National Association of Police Organizations; former California judge and president of the Los Angeles Bar Association, Sheldon Sloan; Association for Los Angeles Deputy Sheriffs, President Pete Brodie; Los Angeles County Police Chiefs' Association. It goes on and on. It is a shame we have not worked and gotten this nomination approved earlier. I hope, as I have indicated, this will not become related to some extraneous issue. It should be decided on its merits.

Mr. President, I recognize that my friend from Alaska, the chairman of the Energy and Natural Resources Committee, is going to speak on the Ninth Circuit. I have some familiarity with it because the chief judge in the Ninth Circuit is from Nevada, Procter Hug. We are proud of the fact that he is the chief judge of the Ninth Circuit. He also has rave reviews. He is a graduate of Stanford University School of Law. He has administered the Ninth Circuit very well. I hope those who feel there should be something done about the Ninth Circuit would look at what we